

060095


**CITY OF GAINESVILLE PLANNING DIVISION
DEVELOPMENT PLAN REVIEW
SUMMARY OF COMMENTS**

Petition Number: 15SUB-06DB

Reviewed By: Lawrence D. Calderon

Reviewing Body: Development Review Board

Date: March 9th 2006



3/7/06

Project Name/Description: GBlues Creek Unit 7 Design Plat for 16 Lots.

Plan Reviewed: Thursday, March 9th 2006

Review For: Alison Feter Engineering, Agent for Blues Creek Development, Lt. Design Plat Review to allow 16 lots on 2.37 Acres. Zoned PD, Residential. Located in the 4900 Block of NW 73rd Avenue.


I. Department Comments

- | | | |
|----|--|--|
| 1. | Planning: | Approved with conditions |
| 2. | Public Works & Traffic Engineering: | Approved with conditions |
| 3. | G.R.U & Gas: | Approved with conditions |
| 4. | Police: | Approved as conditions |
| 5. | Fire: - | Approved with conditions, |
| 6. | Building: - | Approved as submitted, |
| 7. | Arborist: - | Approved with conditions, |
| 8. | Other:- ACDEP - | Concerns which have not been addressed, |
| 9. | Concurrency Review: | Approved with conditions |

II. Overall Recommendation

The subject property is zoned Residential Planned Development. The Planned Development for Blues Creek was approved for 557 dwelling units distributed in various phases throughout the general area. This petition, Unit 7, includes 16 lots on 2.37 acres at a density of 6.75 units per acre. Each lot is 1000 square feet and will contain attached two-story units. The proposed subdivision is required to have an average buffer of 50 feet from the surrounding wetlands, with no point along the buffer being less than 35 feet. Planning staff recommends approval of the design plat, authorizing the applicant to proceed to review for final plat approval.

SITE PLAN EVALUATION SHEET
DEVELOPMENT PLAN & SUBDIVISION REVIEW EVALUATION
CURRENT PLANNING ROOM 16, OLD LIBRARY
222 East University Avenue 334-5023

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| <p>Petition No. <u>15SUB-04DB</u> Review Date: 3/9/2006</p> <p>Reviewed on : 3/06/06</p> <p>Review For: Alison Fetner, P.E. Agent for Blues Creek Development, LT. Design Plat Review for 16 Lots on 2.37 Acres. Zoned PD (Planned Development). Located in the 4900 Block of NW 73rd Avenue, North Side.</p> | <p>Review Type: <u>Preliminary Final Amend.</u></p> <p>Project Planner:  <u>Lawrence Calderon</u> 3/7/06.</p> |
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• **RECOMMENDATIONS/REQUIREMENTS/COMMENT**

This proposed project is for subdivision of a 2.37 acre parcel to create 16 lots.

1. There are disturbances and construction proposed in the designated buffer areas for the wetlands.
2. According to the wetland ordinance, "Buffers shall remain in an undisturbed condition. The buffer line is approximately 10 from structures on the parcel. Every effort should be made to ensure that there are no impacts to the wetlands.
3. Show the data that justifies that the average of 50 feet is satisfied.
4. This petition only addresses design plat. Construction of those units will require development plan approval. A separate appropriate application for development review is required.
5. How does this project fit into the overall Blues Creek Development in terms of density and total number of units? Please be aware that the overall PD allows 16 units for Unit VII.
6. Comments from Alachua County Environmental Protection Department addresses environmental concerns, historic and archaeological resources. Those concerns must be addressed during development plan review. Approval of the design plat does not guarantee the number of lots. Addressing the above concerns take precedence over the number of lots.
7. Construction drawing review and final plat will be required after design plat.

SITE PLAN EVALUATION SHEET


PUBLIC WORKS DEPARTMENT 334-5072 M.S. 58

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|--|--|--------------------------|
| Petition No. <u>15SUB-04 DB</u> | Review Date: <u>3/3/06</u> | Review Type: |
| Review For : <u>Technical Review Committee</u> | Plan Reviewed: <u>3/3/2006</u> | <u>Design Plat</u> |
| Description, Agent & Location: <u>Blues Creek Unit 7</u> | Project Planner: | |
| <u>Fetner Eng.</u> | <u>4900 block of NW 73rd Ave.</u> | <u>Lawrence Calderon</u> |

APPROVED
(as submitted)

APPROVED
(subject to below)

DISAPPROVED

| | |
|---|--|
| <input checked="" type="checkbox"/> Alachua County Environmental Review Required <input type="checkbox"/> Alachua County Environmental Review Not Required <input type="checkbox"/> 100 Yr. critical duration storm event must be analyzed. <input type="checkbox"/> SJRWMD stormwater permit is required. <input type="checkbox"/> Treatment volume must be recovered within 72 Hrs. (F.S. of 2) <input checked="" type="checkbox"/> Approved for Concurrency | Comments By:  Rick Melzer P.E. Development Review Engineer |
|---|--|

REVISIONS / RECOMMENDATIONS:

1. Please add a note to the site plan stating that the site must comply with all N.P.D.E.S. criteria both during and after construction.



**DEVELOPMENT REVIEW EVALUATION
GAINESVILLE REGIONAL UTILITIES**

Ellen Underwood, New Development Coordinator
PO Box 147117, Gainesville, FL 32614
Voice (352) 393-1644 - Fax (352) 334-3480

Feb 16, 2006

2 Petition 15SUB-04DB

Allison Fetner, P.E., agent for Blues Creek Development, LT. Design plat review for 16 lots on 2.37 acres. Zoned: PD (Planned Development) **Blue's Creek Unit 7**. Located in the 4900 Block of Northwest 73rd Avenue, north side. (Planner, Lawrence Calderon)

- Conceptional Comments**
- Conditions/Comments**
- Approved as submitted**
- Insufficient information to approve**

New Services The utility construction plans are currently under review and there will additional comments. The following comments from electric and real estate need to be addressed before final design plat.

Water
Sanitary
Sewer

Electric Utility plan had no facilities shown to review.

Gas

Real Estate Plat does not show any Public utility easements.

**SITE PLAN EVALUATION SHEET
GAINESVILLE POLICE DEPARTMENT**

Petition Number: 15SUB-04 DB

Review Date: February 20, 2006

Site Visit Date: None

Description: Blues Creek

Location: 4900 NW 73rd Avenue

Review For: TRC

Planner: Lawrence Calderon

Reviewed By: Sgt. Jeff Reese

Recommend for Approval With Consideration for Comments

Recommend for Disapproval

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Recommendations and Comments

1. No comments related to design plat review. Recommend approval.

The purpose of this review is to provide security recommendations. This report is advisory only and is not intended to identify all weaknesses or to warrant the adequacy of all present and future security measures whether or not recommended.

SITE PLAN EVALUATION SHEET

BUILDING INSPECTION DEPARTMENT REVIEW

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|---|---|---------------------------------|
| Petition No. 15SUB-04DB | Review Date: <u>3/2/06</u> | Review Type: <u>Design Plat</u> |
| Review For : <u>Development Review Board</u> | Plan Reviewed: <u>3/2/2006</u> | |
| Description, Agent & Location: <u>Alison Fetner, Blues Creek Unit 7, 4900 bl NW 73 Avenue</u> | Project Planner: <u>Lawrence Calderon</u> | |

APPROVABLE **APPROVABLE** **DISAPPROVED** **CONCEPT**
SUBJECT TO COMMENTS

| | |
|--|---|
| This site plan has been reviewed for compliance with Chapter 5 of the Standard Building Code & for accessible routes of the Florida Accessibility Code for Building Construction. Complete code compliance plan review will be performed at Building Permitting. | Comments By: <i>Brenda G. Strickland</i> Brenda G. Strickland Plans Examiner |
|--|---|

REVISIONS / RECOMMENDATIONS:

**ALACHUA COUNTY
ENVIRONMENTAL PROTECTION DEPARTMENT**

201 SE 2nd Avenue, Suite 201, Gainesville, Florida 32601

Tel: (352) 264-6800 Fax (352) 264-6852

Suncom: 651-6800

Home Page: <http://environment.alachua-county.org>

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Manager
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Date: February 17, 2006

To: Lawrence Calderon,
City of Gainesville Community Development Department
Current Planning Division
306 NE 6th Ave.
Gainesville, FL. 32602

From: Betty Levin, Senior Environmental Specialist

Re: Site Plan Review – February agenda
Please circulate the following comments to appropriate planners.

2. **Petition 15SUB-04DB** Allison Fetner, P.E., agent for Blues Creek Development, LT. Design plat review for 16 lots on 2.37 acres. Zoned: PD (Planned Development) Located in the 4900 Northwest 73rd Avenue, north side. (**LAWRENCE**)

Comments:

The current plan notes what should be a wetland buffer as a “setback. There is a distinct difference between setback and buffer. For example, a development setback is a physical separation between a structure or other improvement and a resource boundary. Designation as a setback does not prohibit alteration within the setback area. A buffer is a protective strip of land, in this case to a wetland, that is to remain unaltered.

In addition, the buffer line is within two feet of the footprint of the buildings. This is unacceptable as the buffer will be impacted during construction and altered post development. Wetland buffers should remain undisturbed except for the allowance of stormwater systems according to City code. In this instance, stormwater treatment is not required and stormwater will be allowed to flow directly from impervious areas to the buffer, into the wetland. The ability of the buffer to function as a filter for stormwater runoff and as a preventative area for erosion and sedimentation into the surrounding wetland is based on the buffer remaining in a natural vegetated state. This will not occur with the proposed plan.

The last revised master plan as reviewed by Alachua County approved six units on this site. The recommendation for six units

February 15, 2006

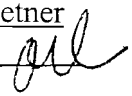
took into consideration the environmentally sensitive nature of the property. The upland area is a small finger like linear projection surrounded on three sides by wetland. The current plan under review by the City is proposing sixteen units on the site.; this plan does not take into account the environmentally sensitive nature of the property.

The project area never has been professionally evaluated for historic resources. The project area is surrounded by archaeological sites documented in professional surveys of adjacent properties. Archaeologists that performed these surveys found some of them to be eligible for the National Register of Historic Places. There is a high probability that the current project area contains as-yet undocumented resources. A professional cultural resource assessment survey should be performed.

cc via email: C. Bird, K. Fanning, J. Mousa

CONCURRENCY REVIEW
PLANNING DIVISION - (352) 334-5022

Sheet 1 of 1

| | | | |
|---|-----------------------------------|---|---|
| Petition | 15SUB-04DB | Date Received <u>2/28/06</u> | <input type="checkbox"/> Preliminary |
| <input checked="" type="checkbox"/> DRB | <input type="checkbox"/> PB | <input type="checkbox"/> Other | <input type="checkbox"/> Final |
| Project Name | <u>Blues Creek Unit 7</u> | | <input type="checkbox"/> Amendment |
| Location | <u>4900 block of NW 73rd Ave.</u> | | <input type="checkbox"/> Special Use |
| Agent/Applicant Name | <u>Alison Fetner</u> | | <input type="checkbox"/> Planned Dev. |
| Reviewed by | <u>Onelia Lazzari</u> |  | <input checked="" type="checkbox"/> Design Plat |
| | | | <input type="checkbox"/> Concept |

Approvable (as submitted) Approvable (subject to below) Insufficient Information
 PD Concept (Comments only) Concept (Comments only)

RECOMMENDATIONS/REQUIREMENTS/COMMENTS

NOTE: When this development returns for final plat approval, an Application for a Certificate of Final Concurrency must be filed.

The Preliminary Concurrency for this design plat was approved on 2/12/04 and should be in the petition folder.

DRAFT

Minutes Development Review Board

City Hall, Auditorium
200 East University Avenue

March 9, 2006
Thursday, 6:30 PM

Members Present

J.T. Frankenberger
Russell Ingram
Joshua Shatkin
Taylor Brown
James Higman
Monica Cooper

Members Absent

Stephen Boyes
Raymond S. Miller (Student Adjunct)

Planning Staff

Lawrence Calderon
Bede Massey
Margie Roland

- I. ROLL CALL
- II. APPROVAL OF AGENDA – Approved as presented
- III. REQUEST TO ADDRESS THE BOARD – There were no requests to address the board.
- IV. APPROVAL OF MINUTES – Approved as amended.
- V. DEVELOPMENT PLANS
- A. OLD BUSINESS

- 1. **Petition 15SUB-04DB** Alison Fetner, P.E., agent for Blues Creek Development, LT. Design plat review for 16 lots on 2.37 acres MOL. Zoned: PD (Planned Development) Located in the 4900 block of Northwest 73rd Avenue, north side.

Mr. Lawrence Calderon was recognized. Mr. Calderon presented a map and aerial photo of the site and described it and the surrounding area in detail. He noted that the project involved a subdivision of 16 lots. He explained that the developer would have to go through development plan review after the City Commission approved the subdivision because it involved attached units. He noted that there was an overall Planned Development for Blues Creek that was approved by the County and annexed into the City. Mr. Calderon pointed out the wetland areas around the site and noted that there had to be an overall average of 50 feet of wetland buffer. He indicated that staff had requested additional area around the buildings to prevent encroachment into the buffer during construction and when the units were completed. He noted that the petitioner had agreed to a 10-foot separation between the structures and the wetland buffer rather than the originally proposed two feet. He explained that there were some archeological issues involved but those had been resolved through the State. Mr. Calderon stated that staff's recommendation was to approve the petition for the design plat. He offered to answer any questions from the board.

Mr. Higman noted a dark line drawn on the plan and asked if there would be a fence or wall around the perimeter of the site.

Mr. Calderon indicated that the line simply indicated the perimeter of the wetland buffer.

Mr. Higman asked what would keep residents of the development from trespassing on the wetland buffer and wetland itself, and treating it as if it were part of their yards.

Mr. Calderon explained that staff usually addressed that matter during development plan review, however, it would be a violation to disturb the wetland buffer or the wetland.

These minutes are not a verbatim account of this meeting. Tape recordings from which the minutes were prepared are available from the Community Development Department of the City of Gainesville.

Mr. Shatkin asked if there was a requirement for a building setback from the wetland buffer similar to a lot line buffer. He asked if a building could be constructed at the very edge of the wetland buffer.

Mr. Calderon explained that the undisturbed buffer was the setback from the wetland. He noted that, while a building could be constructed at the edge of a wetland buffer, the potential environmental impacts of that construction would have to be addressed.

Chair Cooper noted that the comments from the Alachua County Environmental Protection Department (ACEPD) expressed a concern about the two-foot separation between the buffer line and the buildings. She asked if the proposed new 10-foot separation was in response to that comment. She noted that ACEPD considered two feet separation from the buffer unacceptable.

Mr. Calderon indicated that the comments from ACEPD were based upon the two-foot separation between building and wetland buffer, and he had received no comments on the 10-foot separation. He explained that there had been problems in the past when buildings were constructed too close to a wetland buffer and ACEPD usually recommended a 10-foot distance.

Mr. Higman pointed out that there was an undisturbed buffer of 35 to 50 feet, however, in the case of the petition before the board, there would be 10 feet in addition to that buffer, which was a buffer for the buffer.

Mr. Calderon agreed with Mr. Higman's comment, however, he explained that the board had to bear in mind that when a buffer was established there were parameters regulating that buffer. He pointed out that the regulation stated that there could be no development or disturbance in that buffer, and if there were only two feet of separation between the building and the buffer line, persons stepping out of their residences would cause disturbance in the buffer. He indicated that while such a situation would meet the letter of the law, it would be inconsistent with the intent, which was protection of the wetland.

Mr. Higman explained that it was not his intent to have a buffer disturbed, but to point out that the 10 feet was above and beyond what the regulation required.

Chair Cooper noted that the ACEDP comments also included a notation that the original master plan for Blues Creek only approved six units on the site because of its environmentally sensitive nature, and the applicant was proposing 16. She requested that staff address the matter.

Mr. Calderon explained that the Blues Creek Master Plan he saw indicated that there would be 16 units, not six. Regarding the state review of archeological sites, he indicated that there was a letter from the state indicating that they did not believe that there was any significant impact to the conditions.

Ms. Alison Fetner, agent for the petitioner, was recognized. Ms. Fetner indicated that she had no problems with staff's comments; however, she did wish to clarify some issues. She explained that ACEDP did not follow up with a review of the revised plan. Regarding the ACEDP Comments about a master plan, she noted that there had been a number of revised master plans. She agreed that the 10 feet was a buffer on a buffer and the Code should address the issue since there could be walking trails and stormwater basins in a buffer. Ms. Fetner explained that the development was not one where people would have a yard, and a homeowners association would control the open space.

Mr. Higman agreed that the 50-foot average wetland buffer was one that was accepted by the community and specified in the Code. He noted, however, that construction close to wetlands often created problems in the wetlands. He indicated that, if the applicant was comfortable with the extra 10 feet, he would not have a problem. He pointed out that, during construction, contractors and sub-contractors routinely went into the buffer and sometimes into the wetland itself, therefore, he could understand staff's concern with a structure so close to the buffer line.

Ms. Fetner indicated that while she found the 10 feet acceptable, one solution to the problem would be to require a chainlink fence with silt barriers during construction. She noted that the fence could be removed at completion of the project. She explained that the wetland was the stormwater treatment facility for the project. She indicated that she would place a chainlink fence on the project in addition to the extra 10 feet if the board wished.

Mr. Higman indicated that something like a fence would identify the area for the contractors and would be appropriate.

Mr. Frankenberger asked if there would be signs indicating that no activity was permitted in the buffer.

Ms. Fetner agreed that signs could be provided.

There was no public comment on the petition.

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| <u>Motion By:</u> Mr. Shatkin | <u>Seconded By:</u> Mr. Higman |
| <u>Moved To:</u> Approve Petition 15SUB-04 DB with staff conditions. | <u>Upon Vote:</u> Motion Carried 5 – 1 Ayes: Frankenberger, Shatkin, Higman, Ingram, Cooper Nay: Brown |

2. **Petition 61SUB-05 DB** Land Estates, LLC, agent for SARJUNE, Inc. Design Plat review for 20 lots on 8.35 acres MOL at Hidden Lake, Phase II. Zoned: PD (Planned Development). Located on State Road 121 at Northwest 72nd Place.

Continued at approval of the agenda.

NEW BUSINESS

3. **Petition 22SUB-06DB** Brown & Cullen, Inc., agent for Andrew Kaplan. Design plat review for 10 lots on 1.16 acres MOL. Zoned: RMF5 (Residential Low Density, 12 du/acre)(Ingleside Village). Located between Northwest 17th Avenue and Northwest 18th Avenue and between Northwest 9th Street and Northwest 10th Street

Board member Russell Ingram declared a conflict of interest in Petition 22SUB-06 DB and abstained from the vote.

Ms. Bedez Massey was recognized. Ms. Massey presented a map of the site and described it and the surrounding uses in detail. She explained that the applicant was requesting to reconfigure six lots currently located on the development site into 10 lots for single-family homes. She noted that the site and lots were